

CACCC Meeting Report

November 19, 2003

West Lafayette, Indiana

Attendees:

Council members: Chuck Bauer, Paula Yeager, Pete Hanebutt, Frank Keeton, David Dimmich, Doug Metcalf, Doug Allman, Glenn Lange, Gene Hopkins, Brad Thurston
Facilitator: Tom Wasson; Recorder: Jeanne Odaffer; Secretary: Debbie Bray

Guests: 10-15 members of the public attended various portions of the meeting.

Meeting Agenda Topics:

1. Housekeeping & Meeting Logistics
2. Review/Approval of October Meeting Report
3. Presentation by Julie Langenberg, & Chris McGeshick of Wisconsin and Dr. Garland, BOAH
4. Public Input - Morning
5. Resolving Issues
6. Public Input - Afternoon
7. What Next?

1. HOUSE KEEPING AND MEETING LOGISTICS

- Agenda was reviewed and approved
- Audiotapes of Presentations will be made available to council member who request them from Debbie Bray. Only presentation and Q & A with presenters will be recorded.

2. REVIEW/APPROVAL OF OCTOBER MEETING REPORT

- October meeting report was reviewed. It was agreed that clarifications from individual council members would be added to the meeting minutes as addendums

RESOURCE MATERIAL REVIEW

- Glenn Lange provided Game breeder licensing costs and State “penned” cervid rules and regulations.

3. PRESENTATION BY: Julie Langenberg, Wisconsin Wildlife Biologist

- ☐ 1999 Significant study began in Wisconsin for CWD
- ☐ Fall 2001 first CWD cases found
- ☐ Wisconsin conducted computer modeling of several types.
- ☐ Wisconsin response to CWD includes human response. Huge economic value. Largest public meetings were regarding CWD

- Wisconsin's reaction was aggressive – depopulation of most areas where CWD found.
- Muscle collected from every collected animal to test for CWD prion.
- Wisconsin DNR dramatically reduced deer population as close to zero as possible in CORE area
- Communication with public EXTREMELY important. Double or triple outreach/communication efforts.
- CWD Zones no baiting or feeding, DNR would like NO baiting/feeding in any area of Wisconsin.
- Have to manage in tandem the wild and farmed populations
- Wildlife Section regaining control of some areas of deer.
- ***Specific information regarding Ms. Langenberg's presentation available on tape thru Debbie Bray.***

Chris McGeshick – Wisconsin Law Enforcement

- Wisconsin DNR Law Enforcement has been charged to follow all leads on CWD. Every effort is being made to discover how CWD came to Wisconsin.
- Lots of agencies tracking information as to how CWD got to Wisconsin
- “Best guess disease did not just “happen” something brought it”
- University of Wisconsin did not import live animals from Colorado. Imported tissue samples from hamsters.
- Fences are porous barriers
- Significant numbers of escapes of penned deer into wild. One confirmed wild deer **into** fence.
- Escapes found to be random in occurrence
- Individual tracking very important
- 8-foot inspection corridor mandated – Health Dept. control licensure.
- Major factor to escapes is leaving fence(gate) open. Second highest reason is trees falling on fence.
- Rehabbers cannot rehab white tailed deer in CWD area.
- Can rehab deer not in CORE area and release into same county found with ear tattoo.
- Cannot keep White tailed deer, must rehab and release.
- Department of Agriculture does depopulation.
- Presently use ear tattoo. Enforcement does not think good enough want both transponder chip and tattoo.
- Try to let owners recapture deer (easily identified if not white tailed)
- Time frame is immediate I buffer zones with higher levels of CWD
- 16 quarantined cervid farms. Some of these farms are within CDW CORE areas.
- Minimum of 80 acre enclosures for shooting
- No license or limit on weapon type within fence.

4. PUBLIC INPUT - MORNING

Brian Preston – Regional Dir. Of National Wildlife Federation

- Look for Michigan task force report – done by an independent group.
- Set aside dollars for Audit.
- Keep DNR involved
- Monitor physical facilities, movement of animals, record keeping, double fencing

Mary Buchowalter

- Concerns the wants of a few driving this issue
- Class difference – driven by money
- Distinction of deer – native vs. non native
- Where is money coming from for fencing?
- Industry should contribute to states regulation of industry
- Ethics of hunting
- Exotics cause of diseases and cause a lot of trouble

Lesly Platfelter – Elk Farmer

- From hunting family
- Focus on here now and future
- Runs elk farm like cattle farm
- Is concerned about disease not panicked
- Wants to keep disease in perspective
- Hunting public should let them decide where they want to hunt inside/outside fence.

Dr. Harmon Weeks – Wildlife Society

- Constituents are primarily Biologists
- Two main issues to fenced hunts 1. Biological. 2. Social
- Biological – disease transmission, genetics,
- Social maybe more important – fair chase, perception of hunting, size of enclosure.
- Wildlife as public trust – DNR responsibility
- Commercialization of Native Species

Recommend: Wildlife Agency should have control. If have enclosed areas, should have concentration control. Individual identification, escape proof fence, genetic degradation

LUNCH BREAK

3. PRESENTATION (CONTINUED) Dr. Garland gave a short update from the national conference that discussed CWD.

5. RESOLVING ISSUES:

Continuing “Deer Harbor” Issue

Glenn invited rehabbers who have white tailed deer. They declined to come to meeting. Said they would go to governor’s office.

Gene spoke to rehabbers they would be upset if could not rehab fawns. Gene thinks Wisconsin had a good idea as released into county where found.

Discussion:

- 1) Have rehabbing curtailed, particularly in counties where disease is found. Rehab minor issue, small paragraph and move on. If rehab situation left “gray” not consistent we will have more problems. Ill advised to address this issue. If rehabber has more than one deer released within 10 miles of capture. Recommend DNR look at this issue. Rehabbing becomes a problem unless endangered species. Let Nature take its course.
- 2) Rehabber to return animal to wild within specified time and back with in certain area where found.
- 3) We should have statement that says DNR should look into this problem. Broad recommendation disease issues DNR has authority to control rehabbers.
- 4) Sense of Council – rehab not consistent with management of resource. Amended by DNR any animal be permanently marked for identification to be determined by DNR if rehabber wants to keep animal can be easily identified and tracked.

Lt. Col. Jeff Wells presented a draft proposal for a Non-Rule policy to the Council, which applies to fawn deer only. Law Enforcement wish to introduce rule to Legislature in December. Concerns of officers: If CO’s had to respond to each fawn call who would pick up the remaining workload.

Draft Non-Rule: Officer to have latitude to respond, policy, not rule. If animal can’t be released into wild it must be euthanized.

Jim Mitchell, DNR Deer Management Biologist was asked to present a survey conducted regarding deer rehabilitation. The 2002 survey involved 120 deer accepted by deer rehabilitators. Of the 120 deer - 69 were released; 46 died; 5 were euthanized.

Other points regarding rehabbers were:

1. Who bears the cost? Presently Rehabber does work at their expense.
2. 180 days to rehab deer to release
3. grandfather deer already with gamebreeders
4. identification a good idea – but what is the cost
5. euthanized by rehabber.
6. Deer are unique in threat to hurt people. Identification good to acknowledge who released.

Questions and comments to Lt. Col. Wells:

- Clarify the statement “grandfather”
- To make people tag, there would have to be rule change. This is a non-rule policy.
- Non-rule is voluntary however officer could revoke permit if he feels it is necessary.

This non-rule does not inhibit Council from making other/stricter rules/laws. The council does not have a problem with DNR moving forward with this non rule policy.

Council - needs to make a statement reference Rehabbers. Need to require white tailed deer permanent tagging to identify uniquely and permanently tagged when released.

Decision: Doug M. and Glenn L. will write a paragraph “Draft Response to Issue #6. This response will be offered to the Council for total consensus for final recommendation. It will include cervids as pets also.

Public deer behind high fence is third part of issue #6.

Concerns of Fencing: Prohibit taking of Public deer and enclosing them in fence. If fence has the ability to inhibit the movement of deer, efforts need to be made to remove deer before closing fence. Require permit??

It is prohibited to build fence to contain public deer. If a fence built for another purpose they must contact DNR for recommendation in getting deer out or management need to give DNR authority to regulate fence height.

Decision: Chuck Bauer to draft a statement concerning fencing of public deer:

6. AFTERNOON PUBLIC INPUT:

Deer farmer-breeder: Concerned if market doesn't open up will have to quit. When borders open up he could sell breeding stock. Can't sell out of State borders are closed to other States because of CWD. CWD affecting lots of States.

5. RESOLVING ISSUES CONTINUED - Regulatory Issue

Considerable discussion by council to understand the various aspects and view points.

Law Enforcement – DNR has complete authority of all white-tailed deer.

BOAH Authority

1. Health Authority – All animals including all public trust animal health
2. Livestock Authority- regulate livestock operations including privately owned cervidae. This authority contemplates those actions necessary to protect animal health such as regulating livestock markets and livestock movement.
3. Slaughter Authority
 - a. Amenable species
 - i. Federal – cattle, swine, goats, sheep, horses, mules, other equine, ostriches, emu, turkeys, geese, ducks, chickens, and squab
 - ii. State – all federal, bison and cervidae
 - b. Forms of Slaughter for meat: (rewritten by Doug M. 12/8/03)
 1. At home: It is legal for a person to slaughter livestock and poultry, they own. They must comply with any state law or local ordinance that might cover such activity. The meat may only be served to the

members of their immediate household and the non-paying guests of their household.

2. Custom Exempt: An individual may present a live animal or carcass they own to a Custom Exempt slaughter or processing plant for slaughter and/or processing. The plant has a "Grant of Exemption" from State or Federal government. They may slaughter 'normal' animals and process 'normal' carcasses. They must return all edible packaged meat to the owner of the animal or carcass. Waste or by-product must be disposed of in accordance with state law. The processed meat may only be served to the owner's immediate household and non-paying guests. It may not be sold. The plant is inspected periodically by the Grantor to insure compliance with the provisions of the Grant. Failure to comply with the provisions of the Grant will result in withdrawal of the Grant of Exemption if deficiencies are not corrected.

3. Inspected: An "Inspected Plant" has a "Grant of Inspection" from state or federal government to slaughter and/or process meat. Live animals, of the amenable species presented for slaughter must be inspected by a government inspector before slaughter to determine if the animal is normal. Normal animals are slaughtered. Animals, which are not normal, are condemned (Under no circumstance are they returned to the owner.) The slaughter must be observed by a government inspector to insure the slaughter is in compliance with the humane handling and slaughter provisions of the law. (Any thing beginning to resemble a hunt would be, by definition of the law, inhumane handling and slaughter.) After the slaughter and the animal has been dressed, the carcass and viscera are inspected to insure that they are normal (again normal is processed and not normal is condemned). The processing of the meat is inspected as well to insure that it provides the consuming public with a sanitary, unadulterated and wholesome meat product.

- a. Federally inspected meat may be shipped and sold in both the interstate and international markets.
- b. State inspected meat may only be shipped or sold within the borders of the state where the slaughter occurred.
- c. Certain families of animals, notably cervidae, do not fall under the federal inspection rules. They may be slaughtered and processed under voluntary federal inspection if the owner is willing to pay the federal government for inspection service. In Indiana, Ohio and Michigan this inspection service is provided by state inspectors for free. These three states currently recognize each other's "Mark of Inspection" and labeling for cervidae. (By law they may not recognize each other's "Mark of Inspection" or labeling for the federal amenable species that fall under the federal rule.)

Indiana inspected cervid meat accepted by Illinois, Michigan and Ohio

Difference between Rule authority and Statute authority is a rule cannot supercede a statute.

DNR: Statute – 14-22-1-1. All wild animals except those held in captivity (licensed under permit) are property of people of Indiana and authority to regulate.

Exotics – DNR have some authority ex. gambreeders and shooting preserves

A question was asked of Lt. Co/ Wells– Could a remedy to identifying deer differently be the use of collars?

1. It is impossible to tell difference, when monies are involved things happen. Current law prohibits hunting behind enclosure over \$500 a C felony.
2. Selling room and board is back door way to circumvent law. Laws not intended to deal with current practice.
3. If conflicting Statutes – Case law decides outcome.
4. Deer hunting license – can take deer at certain times. Never intended to be done behind fences.

Question asked. Does DNR want authority over white-tailed deer, elk? All cervids?

Native wildlife is the charge of DNR Glenn L. and Jeff Wells agree statute covers.

1. Gambreeders laws should not cover game-farms (hunting preserves). Should be managed by DNR.
2. BOAH – has Statute authority over any animal owned as “livestock”. No authority over “hunted” animals.
3. DNR wants control of “native wildlife” (deer and elk)

Authority to regulate white-tailed deer falls under 2 regulating authorities

Leave as is: 2 agencies joint authority. BOAH – Health; DNR – Hunting “Native Wildlife”

Would DNR want all hunting within State of Native Species including Exotics? DNR would not get money to cover needed increase in personnel.

Council Agrees:

1. **DNR has authority to regulate all hunting cervid (leave out management for now).**
2. **BOAH – has authority of animal health. (farming facilities)**

MOU (Memorandum of Understanding) specifically for CWD

MOU animal health emergency

Resources – should be burden on Legislature to find funding.

Sportsman’s dollars pay for most of the work done now (DNR and Enforcement)

A couple of suggestions to consider:

Suggestion#1: refinement of management of shooting preserves. (manage fence specifications, number of deer)

- New funding established
- Further increase of job duties for DNR but we are following statute of wildlife management. Have to look for resources to do that – license fees for hunting.

Suggestion#2: DNR exclude from gamebreeders cervid operations (non shooting operations)

- Name to BOAH Board 2 new people 1 being a Wildlife Biologist. White-tailed deer game animals, should stay that way.
- Gamebreeders still provides animals for hunting preserves
- Change statute to give authority to BOAH for gamebreeders for livestock
- Fees are substantial to hunt preserves, large part of revenue from out of state hunters (Frank will check on this and report to Council)

Comment on these suggestions are: there is doubt about the impact on the BOAH Board of one Biologist. An interest in Wildlife concerns have not been demonstrated by BOAH Board historically.

6. PUBLIC INPUT 5:00 PM

Funding is an issue. Do we need more officers, Biologists for DNR??

A request for List of suppliers of venison for tigers.

Cost impact of mad cow disease in Canada

7. WHAT NEXT:

1. Review drafts statements on “Deer Harbors”
2. Work thru issue of fencing
3. Finish Regulatory Issue
4. Start Health Issue
5. Review schedule and tasks to be sure a draft done by February

Next meeting

Date: December 4, 2003

Time: 9:00 AM

Place: Muncie, Radisson Hotel